

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

VIAMEDIA, INC.,
Plaintiff,

v.

COMCAST CORPORATION and
COMCAST CABLE COMMUNICATIONS
MANAGEMENT, LLC,
Defendants.

No. 16 C 5486

Hon. Charles R. Norgle, Sr.

Hon. Sheila M. Finnegan,
Magistrate Judge

**COMCAST’S MOTION TO FILE UNDER SEAL ITS
SUPPLEMENTAL MEMORANDUM AND EXHIBITS**

Defendants Comcast Corporation and Comcast Cable Communications Management, LLC (collectively “Comcast”) respectfully move the Court for leave to file its Supplemental Memorandum in Opposition to Viamedia’s Motion for Protective Order under seal, pursuant to Federal Rule of Civil Procedure 26(c) and Local Rule 26.2.

In support thereof, Comcast states as follows:

1. Today, September 28, 2021, Comcast filed its Motion for Leave to File a Supplemental Memorandum in Opposition to Viamedia’s Motion for Protective Order. The Motion attaches Comcast’s Supplemental Memorandum in Opposition to Viamedia’s Motion for Protective Order Motion, which contains references to and attaches exhibits, which Viamedia has designated as highly confidential, including the deposition of Anita James. Accordingly, under the Protective Order in this Case, Dkt. 44, and pursuant to Local Rule 26.2(c), Comcast has provisionally filed the Supplemental Memorandum and its exhibits under seal. Comcast also

will file a redacted version of the Supplemental Memorandum and its exhibits excluding portions that Comcast seeks, by this motion, to maintain under seal.

2. As the Seventh Circuit has recognized, a Court may keep documents or portions thereof under seal if “there is good cause for sealing a part or the whole of the record.” *Citizens First Nat’l Bank of Princeton v. Cincinnati Ins. Co.*, 178 F.3d 943, 945 (7th Cir. 1999); *see also* Local Rule 26.2(b) (applying “good cause” standard). Accordingly, the Court may seal filings if there are “legitimate concerns of confidentiality,” *Grove Fresh Dist., Inc. v. Everfresh Juice Co.*, 24 F.3d 893, 898 (7th Cir. 1994), such as where the information in question “meet[s] the definition of trade secrets or other categories of bona fide long-term confidentiality,” *Baxter Intern., Inc. v. Abbott Labs.*, 297 F.3d 544, 545 (7th Cir. 2002).

3. Here, the Comcast’s Supplemental Opposition to Viamedia’s Motion for Protective Order, contains references to and attaches a deposition transcript and exhibits that Viamedia has designated as highly confidential or confidential or has previously filed under seal. The inclusion of such information in the Supplemental Memorandum and its exhibits presents a legitimate concern of confidentiality and gives good cause to file the Supplemental Memorandum and its exhibit under seal.

WHEREFORE, Comcast respectfully requests the Court enter an order granting it leave to file the Supplemental Memorandum and its exhibit under seal.

Dated: September 28, 2021

Respectfully submitted,

COMCAST CORPORATION AND
COMCAST CABLE COMMUNICATIONS
MANAGEMENT, LLC

/s/ Ross B. Bricker

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CERTIFICATE OF SERVICE

I, Ross B. Bricker, an attorney, certify that on September 28, 2021, I caused **Comcast's Motion to File Under Seal Its Supplemental Memorandum in Opposition to Viamedia's Motion for Protective Order and Exhibits** to be served on all counsel of record listed via the Court's ECF system.

/s/ Ross B. Bricker